

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VICTOR M. RUGGERY,)	
Appellant,)	
v.)	CIVIL ACTION NO. 3:07-42
)	
RSJ DEVELOPMENT, L.L.P., and)	JUDGE KIM R. GIBSON
JAMES R. WALSH, Trustee of the)	
Bankruptcy Estate of RSJ Development,)	
L.L.P.,)	
Appellees.)	

MEMORANDUM OPINION & ORDER

The Court set forth the factual background of this case in its June 1, 2007, Order dismissing Appellant's prior appeal, docketed at Civil Action No. 3:05-412. For immediate purposes the Court merely notes that Appellant Victor M. Ruggery filed a Notice of Appeal on February 26, 2007, apparently seeking relief from an order of the bankruptcy court extending the time in which Appellees could close on the sale of real property. Document No. 1, p. 1. Appellees seek the dismissal of this appeal on the basis of Appellant's procedural violations and inability to represent a corporate entity. Document No. 4, pp. 1-2. The Court finds that it need not address these threshold issues, however, for even if the appeal was properly before the court, FED. R. BANKR. P. 9006(b) places extensions of time within the discretion of the bankruptcy judge. Because Appellant has not demonstrated any reason why this Court should question that discretion, his appeal must be dismissed.

An appropriate Order follows.

AND NOW, this 4th day of June, 2007, upon consideration of Appellees' Motion to Dismiss Appeal (Document No. 4), **IT IS HEREBY ORDERED** that the Motion is **GRANTED**.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

**KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE**

Cc: All counsel of record